

UNITED STATES DISTRICT COURT  
FOR THE DISTRICT OF RHODE ISLAND

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JEFFERY DIEFFENBACH,  
Plaintiff,

v.

GREENLEAF COMPASSIONATE  
CARE CENTER, INC.,  
Defendant

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) No. 1:20-cv-00413-MSM-PAS  
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O R D E R

Before the Court after a hearing and subsequent conference is Mr. Dieffenbach's Motion to Compel (ECF No. 33), which seeks production of seven documents in the possession of the defendant. The Court issued an Order to the defendant to submit, "for its in-camera review unredacted copies of the documents produced as GL012777, GL014024, GL015135, GL014062, GL014048, GL015093, and GL015093." (ECF No. 45.)

The defendant maintains the documents are protected by attorney-client privilege, by the work product privilege, or by both. The attorney-client privilege protects "communications made in confidence by a client and a client's employees to an attorney, acting as an attorney, for the purpose of obtaining legal advice."

*Mississippi Public Employees' Retirement System v. Boston Scientific Corp.*, 649

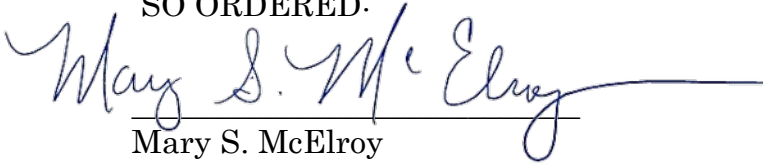
F.3d 5, 30 (1st Cir. 2011). The work-product privilege “protects work done by an attorney in anticipation of, or during, litigation from disclosure to the opposing party.” *In re Grand Jury Subpoena*, 274 F.3d 563, 574 (1st Cir. 2001).

After review and consideration of the relevant standards, the Court Orders the following:

1. GL012777 and GL014024 may be withheld as privileged;
2. The defendant is directed to produce to plaintiff, within seven (7) days, the remaining documents: GL015135, GL014062, GL014048, GL015093, and GL015093. To the extent these five emails forward or include content from GL012777 and GL014024, those portions may be withheld.

IT IS

SO ORDERED:

A handwritten signature in blue ink, reading "Mary S. McElroy", with a long horizontal flourish extending to the right.

Mary S. McElroy  
United States District Judge

Date: October 31, 2002